
STATUTORY INSTRUMENTS

1998 No. 5

The National Health Service (Vocational Training for
General Medical Practice) (Scotland) Regulations 1998

PART IV

APPEALS AGAINST REFUSAL OF CERTIFICATES

Power of the Secretary of State to make new appointments

15.—(1) Where a member of an appeal body dies or resigns or is unable or refuses to carry out his duties, the Secretary of State may appoint a new member in accordance with regulation 14 and may rescind the appointment of the member who is unable or refuses to carry out his duties.

(2) A member of an appeal body shall not be deemed to be unable to carry out his duties, or to have refused to do so, if he has indicated to the other members how he casts his vote for the purposes of regulation 17(1).

(3) Where a new member is appointed after a notice of appeal has been transmitted to the appeal body but before the body has reached a decision, the appeal body shall, notwithstanding any hearing or consideration of the appeal which has already taken place, consider the appeal afresh in accordance with regulation 16.

(4) An appeal body shall be deemed to have reached a decision when a sufficient number of the members have given such indications to constitute a majority for the purposes of the regulation 17(1), notwithstanding that any document embodying the decision has not been drawn up, or signed by all or any of the members, or issued by the appeal body.